

REMARKS

Applicants respectfully request reconsideration of the present application. Claims 1-19, 21-45, and 47 were rejected, and Claim 20 was objected to by the Examiner. Claims 1 and 30 have been amended, and Claims 19-20, 31-45, and 47 have been cancelled without prejudice. Accordingly, Claims 1-18 and 21-30 will be pending in the present application upon entry of this Reply and Amendment.

A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

Information Disclosure Statement

On page 2 of the Office Action, the Examiner indicated that the listing of references in the present Specification is not a proper information disclosure statement.

An information disclosure statement has been provided herewith so that the Examiner may consider such references. It should be noted that U.S. Patent Application No. 09/506,244 issued as U.S. Patent No. 6,444,675.

Claim Rejections – 35 U.S.C. § 112

On page 2 of the Office Action, Claim 30 was rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. The Examiner stated:

The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim 30 sets forth that the “jig assembly” further comprises a “retainer ring configured to be coupled to the workpiece”. However the only “retainer” apparently taught by the specification is retainer 106, which is part of an assembled picture frame, and not any part of the “jig

assembly", nor is the retainer 106 even described as usable with the jig assembly.

Claim 30 has been amended to recite "wherein the workpiece is a part of a picture frame assembly, the picture frame assembly having a retainer ring coupled thereto." Reconsideration and withdrawal of the rejection of Claim 30 under 35 U.S.C. § 112 is respectfully requested.

Allowable Subject Matter

On page 17 of the Office Action, the Examiner indicated that Claim 20 was objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 1 has been amended to include the limitations of Claims 19 and 20. Accordingly, the Applicants submit that Claim 1 and all claims dependent thereon are allowable. Allowance of Claims 1-18 and 21-30 is therefore respectfully requested.

Claim Rejections – 35 U.S.C. § 102 and § 103

On pages 3-16 of the Office Action, various claims were rejected using various combinations of references. More specifically:

- a. Claims 1-6, 9-10, 14-15, 19, 22-24, 30-34, 36, 39-41, and 44 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,383,503 to Johnson;
- b. Claims 1-4, 9, 17-18, 21-23, 25, 30-32, 34-35, 37-39, 41, and 44 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,353,672 to Smith;
- c. Claims 45 and 47 were rejected under 35 U.S.C. § 102(b) as being anticipated by Smith, or, in the alternative, under 35 U.S.C. § 103(a) as being unpatentable over Smith in view of U.S. Patent No. 4,992,011 to Cesark;
- d. Claims 7-8, 11-13, and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Johnson;
- e. Claims 25-29 were rejected under 35 U.S.C. § 103(a) as being

unpatentable over Johnson in view of U.S. Patent No. 3,581,787 to Bane;

- f. Claims 42-43 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Johnson in view of U.S. Patent No. 4,652,191 to Bernier;
- g. Claims 5 and 33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Smith;
- h. Claims 15 and 36 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Smith in view of Johnson;
- i. Claims 7-8, 13, 15-16, and 36 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Smith;
- j. Claims 24 and 40 were rejected under 35 U.S.C. § 103(a) as being unpatentable over either of U.S. Patent No. 6,112,425 to Nelson et al. or U.S. Patent Application Publication No. 2002/0095810 to Carlson et al.;
- k. Claims 26-29 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Smith and further in view of Bane;
- l. Claims 42-43 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Smith in view of Bernier.

As described above, Claim 1 has been amended to include the limitations of Claims 19 and 20 and is believed to be allowable. The Applicants also submit that Claims 2-18 and 21-30, which depend from Claim 1, are also allowable (note that Claims 19-20 have been cancelled without prejudice, and, accordingly, the rejection of Claim 19 is now moot). Reconsideration and withdrawal of the various rejections of pending Claims 1-18 and 21-30 is respectfully requested.

Claims 31-45 and 47 have been cancelled without prejudice. Accordingly, the various rejections of these claims are now moot.

* * *

It is submitted that each outstanding objection and rejection to the Application has been overcome, and that the Application is in a condition for allowance. The

Applicants request consideration and allowance of all pending Claims 1-18 and 21-30.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

Date 3/11/2005

By 

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